

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Case No. 1:13-mc-12-JL

Frederick Agisim

O R D E R

No objection having been filed, I herewith approve the Report and Recommendation of Magistrate Judge Landya B. McCafferty dated May 1, 2013.

The taxpayer, Frederick Agisim, is ordered to appear on June 10, 2013, at 9:00 a.m., at the IRS office located at 410 Amherst Street, Suite 350, Nashua, New Hampshire, before Revenue Officer Allison Vermette (or any other authorized Revenue Officer of the IRS) to give testimony and produce all books and records in his possession or control required and called for by the terms of the summons of September 11, 2012.

``[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal.'' School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of Health & Human Servs.,

848 F.2d 271, 275 (1st Cir.1988)); see also United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal). Additionally, finding that the petitioner has failed to make a substantial showing of the denial of a constitutional right, the court declines to issue a certificate of appealability. See 28 U.S.C. § 2253(c) (2); Rule 11, Rules Governing Habeas Corpus Cases Under Section 2254; First Cir. LR 22.0.

SO ORDERED.

/s/ Joseph N. Laplante  
Joseph N. Laplante  
Chief Judge

Date: May 21, 2013

cc: T. David Plourde, AUSA  
Frederick Agisim, pro se